

Message

From: Deegan, Dave [Deegan.Dave@epa.gov]
Sent: 1/14/2021 6:45:53 PM
To: Hackel, Angela [Hackel.Angela@epa.gov]; Dorka, Lilian [Dorka.Lilian@epa.gov]; Press [Press@epa.gov]
CC: Dierker, Carl [Dierker.Carl@epa.gov]; Conrad, Daniel [conrad.daniel@epa.gov]; Rhodes, Julia [Rhodes.Julia@epa.gov]; Flannery-Keith, Erin [Flannery-Keith.Erin@epa.gov]; George, Aleksandra [George.Aleksandra@epa.gov]; Holmes, Marcus [Holmes.Marcus@epa.gov]; Packard, Elise [Packard.Elise@epa.gov]; Talbert-Duarte, Angelia [talbert-duarte.angelia@epa.gov]; Willey, Katharine [willey.katharine@epa.gov]; Biffl, Betsy [Biffl.Betsy@epa.gov]; Rhines, Dale [rhines.dale@epa.gov]; Temple, Kurt [Temple.Kurt@epa.gov]; Robinson, Brittany [Robinson.Brittany@epa.gov]; Khan, Zahra [Khan.Zahra@epa.gov]; Gutro, Doug [Gutro.Doug@epa.gov]; Norcross, Jeffrey [Norcross.Jeffrey@epa.gov]; Rumph, Mikayla [Rumph.Mikayla@epa.gov]; Szaro, Deb [Szaro.Deb@epa.gov]; Deziel, Dennis [Deziel.Dennis@epa.gov]
Subject: RE: Boston Globe inquiry re. Federal Lawsuit Against the EPA Filed in Boston

Thanks Angela. I've just sent that response to the Globe reporter. Will keep everyone informed if we have any other inquiries in this topic.

Thanks!
Dave
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Dave Deegan

U.S. EPA, New England Regional Office

Office of Public Affairs

phone: 617.918.1017 | mobile:

Ex. 6 Personal Privacy (PP)



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**From:** Hackel, Angela <Hackel.Angela@epa.gov>  
**Sent:** Thursday, January 14, 2021 1:06 PM  
**To:** Deegan, Dave <Deegan.Dave@epa.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>; Press <Press@epa.gov>  
**Cc:** Dierker, Carl <Dierker.Carl@epa.gov>; Conrad, Daniel <conrad.daniel@epa.gov>; Rhodes, Julia <Rhodes.Julia@epa.gov>; Flannery-Keith, Erin <Flannery-Keith.Erin@epa.gov>; George, Aleksandra <George.Aleksandra@epa.gov>; Holmes, Marcus <Holmes.Marcus@epa.gov>; Packard, Elise <Packard.Elise@epa.gov>; Talbert-Duarte, Angelia <talbert-duarte.angelia@epa.gov>; Willey, Katharine <willey.katharine@epa.gov>; Biffl, Betsy <Biffl.Betsy@epa.gov>; Rhines, Dale <rhines.dale@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Robinson, Brittany <Robinson.Brittany@epa.gov>; Khan, Zahra <Khan.Zahra@epa.gov>; Gutro, Doug <Gutro.Doug@epa.gov>  
**Subject:** RE: Boston Globe inquiry re. Federal Lawsuit Against the EPA Filed in Boston

Hi Dave,

Please feel free to send the response back to any inquiries that you all get.

Thanks,

Angela

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**From:** Deegan, Dave <Deegan.Dave@epa.gov>  
**Sent:** Thursday, January 14, 2021 1:00 PM

**To:** Hackel, Angela <Hackel.Angela@epa.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>; Press <Press@epa.gov>  
**Cc:** Dierker, Carl <Dierker.Carl@epa.gov>; Conrad, Daniel <conrad.daniel@epa.gov>; Rhodes, Julia <Rhodes.Julia@epa.gov>; Flannery-Keith, Erin <Flannery-Keith.Erin@epa.gov>; George, Aleksandra <George.Aleksandra@epa.gov>; Holmes, Marcus <Holmes.Marcus@epa.gov>; Packard, Elise <Packard.Elise@epa.gov>; Talbert-Duarte, Angelia <talbert-duarte.angelia@epa.gov>; Willey, Katharine <willey.katharine@epa.gov>; Biffl, Betsy <Biffl.Betsy@epa.gov>; Rhines, Dale <rhines.dale@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Robinson, Brittany <Robinson.Brittany@epa.gov>; Khan, Zahra <Khan.Zahra@epa.gov>; Gutro, Doug <Gutro.Doug@epa.gov>  
**Subject:** RE: Boston Globe inquiry re. Federal Lawsuit Against the EPA Filed in Boston

Hi Angela/OPA folks – I'm glad to send a reply to Boston Globe per your note below, unless you prefer to. Thanks in advance for confirming.

Thanks!

Dave

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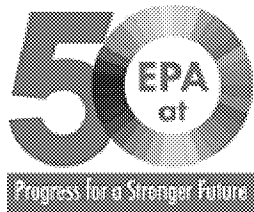
Dave Deegan

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Office of Public Affairs

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Ex. 6 Personal Privacy (PP)



From: Hackel, Angela <Hackel.Angela@epa.gov>

Sent: Thursday, January 14, 2021 12:56 PM

To: Dorka, Lilian <Dorka.Lilian@epa.gov>

Cc: Dierker, Carl <Dierker.Carl@epa.gov>; Conrad, Daniel <conrad.daniel@epa.gov>; Deegan, Dave <Deegan.Dave@epa.gov>; Rhodes, Julia <Rhodes.Julia@epa.gov>; Flannery-Keith, Erin <Flannery-Keith.Erin@epa.gov>; George, Aleksandra <George.Aleksandra@epa.gov>; Holmes, Marcus <Holmes.Marcus@epa.gov>; Packard, Elise <Packard.Elise@epa.gov>; Talbert-Duarte, Angelia <talbert-duarte.angelia@epa.gov>; Willey, Katharine <willey.katharine@epa.gov>; Biffl, Betsy <Biffl.Betsy@epa.gov>; Rhines, Dale <rhines.dale@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Robinson, Brittany <Robinson.Brittany@epa.gov>; Khan, Zahra <Khan.Zahra@epa.gov>; Gutro, Doug <Gutro.Doug@epa.gov>

Subject: Re: Boston Globe inquiry re. Federal Lawsuit Against the EPA Filed in Boston

Thanks Lilian. Yes, we have gotten questions from Law 360 and Bloomberg and our response had been:

Attributable to an EPA Spokesperson

EPA does not comment on pending litigation.

Thanks,

Angela

Angela Hackel

Senior Advisor

Office of the Administrator

Office of Public Affairs

U.S. Environmental Protection Agency

Ex. 6 Personal Privacy (PP)

On Jan 14, 2021, at 12:50 PM, Dorka, Lilian <Dorka.Lilian@epa.gov> wrote:

Thanks Carl for the heads up on this Press Inquiry to Region 1 – I had not seen it. OPA responded to another press inquiry this morning about this law suit and our EPA response was that we do not comment on pending litigation. I am copying Angela and Nancy here who are coordinating any responses to this and also Dave Deegan and Doug Gutro so that we are on the same page and respond accordingly. Lilian

Lilian Sotolongo Dorka, Director
External Civil Rights Compliance Office
Office of General Counsel
U.S. Environmental Protection Agency
202-564-0640 - Office

Ex. 6 Personal Privacy (PP)

From: Dierker, Carl <Dierker.Carl@epa.gov>
Sent: Thursday, January 14, 2021 12:32 PM
To: Dorka, Lilian <Dorka.Lilian@epa.gov>; Flannery-Keith, Erin <Flannery-Keith.Erin@epa.gov>; George, Aleksandra <George.Aleksandra@epa.gov>; Holmes, Marcus <Holmes.Marcus@epa.gov>
Subject: FW: Boston Globe inquiry re. Federal Lawsuit Against the EPA Filed in Boston

FYI, press release on CLF's complaint in case you haven't seen it, although can't say it was unexpected. DOJ generally does not allow Region to comment on pending litigation.

From: Deegan, Dave <Deegan.Dave@epa.gov>
Sent: Thursday, January 14, 2021 11:32 AM
To: Dierker, Carl <Dierker.Carl@epa.gov>; Gutro, Doug <Gutro.Doug@epa.gov>; Szaro, Deb <Szaro.Deb@epa.gov>; McGuire, Karen <McGuire.Karen@epa.gov>
Cc: Norcross, Jeffrey <Norcross.Jeffrey@epa.gov>; Rumph, Mikayla <Rumph.Mikayla@epa.gov>
Subject: FW: Boston Globe inquiry re. Federal Lawsuit Against the EPA Filed in Boston

FYI on this PR below and BGlobe request for comment.

I am assuming this is a new lawsuit nobody here has seen before, but please advise if you recommend any statement beyond "EPA will review this and the Agency does not comment on potential or ongoing litigation."

Also please share with others who may not yet be aware of this.

Thanks!

Dave

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Dave Deegan

U.S. EPA, New England Regional Office

Office of Public Affairs

phone: 617.918.1017 | mobile:

**Ex. 6 Personal Privacy (PP)**

<image001.png>

**From:** Abel, David <dabel@globe.com>  
**Sent:** Thursday, January 14, 2021 11:16 AM  
**To:** Deegan, Dave <Deegan.Dave@epa.gov>  
**Subject:** Fwd: Federal Lawsuit Against the EPA Filed in Boston

Also, would you mind providing a response to this lawsuit?

David Abel  
Reporter  
The Boston Globe  
[dabel@globe.com](mailto:dabel@globe.com)  
Follow on Twitter @davabel  
[www.davidsabel.com](http://www.davidsabel.com)

**From:** Ivan Espinoza-Madrigal <[iespinoza@lawyersforcivilrights.org](mailto:iespinoza@lawyersforcivilrights.org)>

**Date:** January 14, 2021 at 7:22:05 AM EST  
**To:** Ivan Espinoza-Madrigal <[iespinoza@lawyersforcivilrights.org](mailto:iespinoza@lawyersforcivilrights.org)>  
**Subject:** Federal Lawsuit Against the EPA Filed in Boston

## **COMMUNITY GROUPS SUE EPA**

### *Agency Refused to Investigate Discrimination Claims in East Boston Substation Project*

**January 14, 2021**

**BOSTON, MA**

**Conservation Law Foundation (CLF), GreenRoots and Lawyers for Civil Rights** filed a federal lawsuit against the Environmental Protection Agency (EPA) today after it failed to investigate discrimination concerns in the ongoing Eversource East Eagle substation project in East Boston, a predominantly low-income and immigrant community in Massachusetts.

The groups previously filed a Title VI civil rights complaint against Massachusetts energy officials after they ignored resident concerns and refused to provide translation services at community meetings in an area home to many non-English speakers, particularly Spanish-speaking residents. The EPA declined to act on that complaint, and today's lawsuit aims to force a proper investigation.

"As a mother raising three sons who use the playground that is so close to this park, I feel it is outrageous and especially frustrating that in this process, in which I and my neighbors would like to have participated and make our voices and concerns heard, we have been shut out by the lack of interpretation or the poor quality of interpretation when it was provided," stated **Noemy Rodriguez** an East Boston resident for the past 8 years and organizer with GreenRoots.

"For years, state energy officials have unlawfully shut out Spanish-speaking East Boston and Chelsea residents from decisions that will impact their communities for generations," said **Amy Laura Cahn**, Interim Director of the Healthy Communities and Environmental Justice program at CLF. "We rely on the EPA to enforce civil rights laws, which guarantee residents a say in what happens in their communities. Without action by the agency, the community has no chance to right this egregious wrong."

"The EPA has ignored its obligations under Title VI for decades," said **Lauren Sampson**, Staff Attorney at Lawyers for Civil Rights, where she coordinates a Race and Climate Justice project. "Although the Trump Administration has tried time and

time again to destroy these vital civil rights protections, the law is clear: federal funding cannot be used to support race and national origin discrimination in any form."

First proposed in 2014, the project would construct two new underground transmission lines through Boston, Everett, and Chelsea connecting with a new substation in East Boston. The line would run through environmental justice communities whose density, pollution, and high rates of poverty have left residents exposed to public health crises, including the COVID-19 pandemic. The proposed project would place them at even greater risk, with the high-voltage electric substation across from a playground, in a densely packed residential neighborhood, and in an area on the banks of the Chelsea Creek highly susceptible to catastrophic flooding.

Earlier this week, GreenRoots, CLF, and Lawyers for Civil Rights issued an open letter calling attention to persistent language access disparities. In December, Massachusetts Congressional delegation together with state and local elected officials sent a letter opposing the project to Environmental Secretary Theoharides. Civil rights complaints against the Executive Office of Energy and Environmental Affairs, Department of Public Utilities, and Energy Facilities Siting Board are still pending with the Departments of Interior and Transportation.

The lawsuit announced today requests that a federal judge order the EPA to conduct the necessary investigation.

The case is GreenRoots v. EPA, No. 21-CV-10065, in the U.S. District Court for the District of Massachusetts.

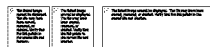
*The complaint is attached and available [here](#).*

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**Iván Espinoza-Madrigal, Esq.**  
Executive Director



Advancing Equality and Justice

**Lawyers for Civil Rights**  
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Boston, MA 02110  
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The Boston Globe  
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